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Kansas. Constitutional convention, 1858, Leavenworth

Schedule, signed by Amasa Soule.

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SCHEDULE.

SECTION 1. In order that no inconvenience may arise from the change from a Territorial to a State government, it is declared that no existing rights, suits, prosecutions, claims or contracts shall be affected by a change in the form of government.

SEC. 2. All laws now of force in the Terrritory of Kansas, which are not repugnant to this Constitution, shall remain in force untill they expire by their own limitation, or be altered or repealed by the Legislature.

SEC. 3. All criminal prosecutions and penal actions which may have arisen, or may arise before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State; and all actions at law and suits in equity which may be pending in any of the Courts in the Territory of Kansas, at the time of the change from a Territorial to a State government, shall be continued and transferred to any Court of the State, which shall have jurisdiction of the subject matter thereof. And all county, city and township officers shall continue to hold their respective offices, unless removed by competent authority, until the Legislature shall, in conformity to the provisions of this Constitution, provide for the holding of elections to fill such offices respectively.

SEC. 4. This Constitution shall be submitted to a vote of the people for approval or rejection, on the third Tuesday of May, one thousand eight hundred and fifty-eight. The vote should be by ballot, and those in favor of the Constitution shall write or print upon their ballots the word "Yes," and those opposed to the Constitution shall write or print upon their ballots the word "No." Said election shall be conducted according to the provisions of Section Thirteen of an Act of the Legislative Assembly of the Territory of Kansas, passed February — one thousand eight hundred and fifty-eight, entitled "An Act to provide for the election of delegates to a Convention to frame a State Constitution.

SEC. 5. At the same time and place and under the provisions of the section aforesaid, of the Act aforesaid, an election shall be held for members of the General Assembly, for State officers, for judges and for a member of Congress to represent the State of Kansas in the Thirty-Fifth Congress of the United States.

SEC. 6. If this Constitution, upon being submitted to the people, shall be approved by a majority of the legal votes cast for and against it, a copy of the same certified by the President and Secretary of the Convention, together with a memorial framed by the Convention, asking admission into the Union, and a certified statement of the vote on the ratification, thereof shall be transmitted as soon as practicable by the Governor, President of the Council and Speaker of the House of Representatives of the Territory of Kansas, or any two of them, to the President and Congress of the United States.

SEC. 7. Provided this Constitution shall be ratified by the people, then, upon the admission of Kansas into the Union as a State, the Constitution shall be in full force, the State officers shall immediately enter upon the performance of their duties, and the Governor shall immediately, by proclamation, convene the General Assembly.

SEC. 8. The members of first General Assembly shall hold their offices until and including.

SECTION 9. The State officers, and Supreme and District judges, first elected under the Constitution, shall hold their respective offices for the same length of time as though their term of office commenced on

SEC. 10. The seal of the Territory of Kansas shall, until otherwise ordered, be the seal of the State of Kansas.

SEC. 11. Until otherwise provided by law, the Senators and Representatives shall be appointed as follows:

SEC 12. At the vote upon the ratification or rejection of this Constitution, the qualified voters shall also vote upon the question of the location of the seat of government, in the following manner, to wit: Each qualified elector may write or print upon his ballot the name of the place which he desires to be the Capitol; and those who desire the State to purchase a site for the Capitol shall write or print upon their ballots the words "for a purchased site." If any place shall have received a majority of all the votes cast on the question of locating the State government, then that place shall be the Capitol. But, if a majority of all the votes cast on the question aforesaid shall be "for a puchased site," then, at the next general election for members of the General Assembly, five Commissioners shall be chosen, who shall contract for purchasing a site for the Capitol, and the question whether the people shall ratify that contract shall be shall be submitted to the qualified voters at the next general election of members of the General Assembly; those favoring the ratification voting "yes," and those opposed, "no." And if that contract shall be ratified by a majority of all the votes cast upon that question, then, the site so contracted for shall be the seat of goverenmnt. But, if that contract shall not be thus ratified by the people, then the General Assembly shall, at its next session, by law, locate the Capitol. In case, at the election upon the ratification or rejection of this Constitution, neither any place nor a purchased site shall receive a majority of all the votes cast, then the General Assembly shall provide, by law, for the resubmission of the question of the location of the Capitol to a vote of the people at the next general election for members of the General Assembly.

A. SOULE, Chairman.